

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following Department rule:

Incentive System – Points and Levels

This rule is amended to allow greater flexibility in the administration of the Incentive System at the RI Training School by moving references to specific point values for different activities and points associated with different levels to the Resident Handbook, while continuing to codify basic system principles in policy. This policy also proceeds from the requirements of RI General Law, Federal Law, RI Supreme Court Decisions, the Federal Consent Decree in *Inmates of the RI Training School v. Janice DeFrances*, federal regulation and the Annie E Casey Juvenile Detention Reform Standards. In the amendment of this rule, consideration was given to: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>). Interested persons may submit written comments by June 9, 2014 to Susan Bowler, Implementation Director for Policy and Programs, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (Susan.Bowler@dcyf.ri.gov).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Posted May 6, 2014

Incentive System - Points and Levels

Rhode Island Department of Children, Youth and Families
Division of Juvenile Correctional Services: RI Training School

Policy: 1200.0103

Effective Date: ~~March 1, 2011~~ Revised 2014

Version: 1

The RI Training School (RITS) utilizes the Incentive System – Points and Levels to reward residents for complying with facility rules and participating in education, clinical and other programming options. The Incentive System is described in the Resident Handbook, which identifies the basic principles and elements which are not subject to change. The Incentive System is the same in each RITS unit and, is reviewed annually to ensure that it is effective and responsive in incentives and disincentives to the needs of the residents. Points and levels are among the elements considered when and provides for the Department ~~to~~ seeks the early release or alternative community placement of a resident.

Related Procedures

Incentive System – Points and Levels

Related Policy

Resident Handbook

Resident Grievance Procedure

Incentive System – Points and Levels

Procedure from Policy 1200.0103: Incentive System – Points and Levels

- A. Residents begin with zero points for the day and earn points for behavior and performance every day.
- B. A resident earns up to 100 points per day ~~as follows~~ for positive participation in resident life, education, treatment and recreation.

1. A detailed description of points associated with various activities is provided to residents through the Resident Handbook. Refer to DCYF Policy 1200.1301: The Resident Handbook.
2. Points and levels are discussed daily and weekly with the residents.
3. Each resident can discuss concerns or disagreements regarding points and levels assigned with the Unit Manager and/or utilize the Resident Grievance Procedure. Refer to DCYF Policy 1200.1206: Resident Grievance Procedure.

~~1. Resident Life~~

- ~~a. A resident earns up to 20 points in Unit activities on the first shift and up to 20 points per day on the second shift as follows:
 - i. Room Cleanliness—0 to 5 points
 - ii. Unit Chore—0 to 5 Points
 - iii. Positive Social Interaction/Following Unit Rules—0 to 5 points
 - iv. Personal Appearance—0 to 5 points~~
- ~~b. A resident earns up to 10 points in Unit activities on the third shift per day for compliance with rules and positive interaction in wake-up and hygiene activities.~~

~~2. Education~~

- ~~a. A resident earns up to 20 Points in School activities per day as follows:
 - i. Up to four (4) points in each of five (5) classes.
 - ii. Up to two (2) points in each class for effort and two (2) for behavior.~~

~~3. Treatment~~

- ~~a. A resident earns up to 20 Points in treatment activities per day. A resident:
 - i. Attends to/maintains positive behavior/actively participates in group treatment (as indicated in progress notes from the treatment provider)—0 to 5 points
 - ii. Actively works on his/her "Life Story" (as reported by treatment provider in progress notes)—0 to 5 points
 - iii. Accepts recommendations from Treatment Team (examples include but not limited to engaging in individual counseling, substance abuse treatment, aftercare / transition services, completing homework assignments etc.)—0 to 5 points
 - iv. Integrates skills learned in treatment into daily life behaviors (maintains prosocial behavior with peers and staff, actively avoids physical and verbal altercations, behaviors serve as a role model for other residents etc.)—0 to 5 points~~

- ~~4. Recreation—A resident earns up to 10 points per day by participating in the unit's structured recreational activities.~~

- C. On any day that a resident does not have an opportunity to earn points in an area identified in paragraph B, he/she receives the average of the daily points for that area for the previous three weeks.

C. Each staff only awards points in his/her program area, e.g., only education staff can award education points. One program or staff cannot award points for activities related to another program.

- D.
- E. The Unit Manager and the Social Worker complete the Weekly Points Form and discuss the information with unit staff and the residents. Both the Unit Manager and the Social Worker ensure that the Incentive System is applied consistently and fairly to all residents in accordance with the parameters set forth in the Resident Handbook. The Weekly Points Forms are maintained in the Unit Manager's office.
- F. Levels range from 1 to 4. Each Level determines the degree to which a resident is eligible for privileges.
1. A resident does not accrue points and is not assigned to a Level during the first 14 days in detained status as this is an orientation period.
 2. On the 15th day of detention, a resident participates in the Incentive System – Points and Levels beginning on Level 1.
 3. Points associated with each level are outlined in the Resident Handbook.
 - 3.A resident earns a minimum of 70 % of points in each area identified in paragraph B and an average of 80 % or more points for five (5) consecutive weeks to achieve Level 2. To maintain Level 2, a resident earns a minimum of 70 % of points in each area identified in paragraph b and 80 % or more points each week.
 - 4.A resident at Level 2 earn a minimum of 70 % of points in each area identified in paragraph b and an average of 90 % points or more for eight 8 consecutive weeks, to progress to Level 3. To maintain Level 3, a resident earns a minimum of 70 % of points in each area identified in paragraph b and 90 % or more points each week.
 - 5.A resident at Level 3 earns a minimum of 70 % of points in each area identified in paragraph b and an average of 95 % points or more for five (5) consecutive weeks, to progress to Level 4. To maintain Level 4, a resident earns a minimum of 70 % of points in each area identified in paragraph b and 95 % or more points each week.
- G. If a resident does not earn points required for a Level, he/she loses that Level. To regain the Level, the resident must earn the designated points for two (2) the consecutive two (2) weeks.
- H. When a resident moves from one Unit to another, his/her points and levels remain intact. The Unit Manager from the sending unit provides information in writing on the resident's points and level to the Unit Manger of the receiving unit to ensure continuity.
- I. The Incentive System – Points and Levels is reviewed annually by the Superintendent or designee and is updated as necessary.
- J. Examples of privileges and activities according to assigned Levels are described to residents at admission in conformance with DCYF Policy 1200.1301: The Resident Handbook.
- K. Paragraphs A - J are consistent with American Correctional Association Standards 3 JDF-3C-01 and 3-JTS-3C-01.